

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 6, 2009**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

GPA-33597 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: LAKES CONGREGATION OF JEHOVAH'S WITNESSES, LAS VEGAS, NEVADA - OWNER: ARMONDO TULLY - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 1.49 acres at the northeast corner of O'Bannon Drive and Lisa Lane (APN 163-04-305-006), Ward 2 (Wolfson). The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

22

City Council Meeting

18**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

4

City Council Meeting

1**RECOMMENDATION:**

The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda – Protest/Support Postcards for Items 116-118
7. Submitted after Meeting – Protest Postcard for Items 116-118
8. Backup Referenced from the 04-09-2009 Planning Commission Meeting Item 31

Motion made by STEVE WOLFSON to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN,
GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None);
(Excused-DAVID W. STEINMAN)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 116-118.

SCOTT KITE, North Las Vegas resident and Chairman of the Regional Building Committee,
appeared representing the Jehovah's Witnesses Congregation.

CITY COUNCIL MEETING OF: MAY 6, 2009

SCOTT WAID, 1920 Crystal Glen Court, objected to this application and requested the Council's denial, because the applicant intends to have four congregations operating out of one facility, which would greatly increase the amount of traffic in the residential neighborhood and in an area that does not have safety markers for vehicular or pedestrian traffic, nor sufficient parking spaces to accommodate so many vehicles. MR. WAID pointed out that approval would mean the loss of potential property tax revenue in the amount of \$2 million.

JAMES KEMPSEY, 5125 South Durango Drive, appearing with the owner, stated that the facility would present an opportunity for job creation, first to construct it and then to staff it. With the School District budget cuts, the facility could be used for community events. Concerning the tax base, he mentioned that the facility would not be completely exempt from paying property taxes or revenues to the School District. He did not believe traffic would be an issue because the facility would not operate during the same hours as the nearby school, which already has a substantial traffic impact on the neighborhood. He requested approval and that the Council take into consideration staff's recommendation for approval.

MARGO WHEELER, Director of Planning and Development, explained for COUNCILMAN WOLFSON that staff recommended approval because churches are allowed throughout the City in residential areas, as long as all development standards are met. In this case, there are no variances or waivers being requested and there are no deviations from the Municipal Code or the General Plan.

In going over the aerial map, COUNCILMAN WOLFSON observed that the area consists of about 95 percent residential development, with a nearby school. MR. KITE indicated that the four congregations would meet in the evenings starting at 7:30 for 1.45 hours four times a week and twice on Saturday and Sunday. Only cleaning staff would be on site during the day. Each congregation would bring about 110 people to the facility on an average day. The church does encourage carpooling, so that would bring about 45-50 cars, and there are 74 standard parking spaces and four handicap-accessible parking spaces available.

As a former resident of the area, COUNCILMAN WOLFSON stated that he is very familiar with it and is aware that most of the homeowners purchased their homes 10-15 years ago. Those homeowners, as he does, have certain expectations, including that the area would be developed residential. Although he is not against churches in neighborhoods, in every vote he takes, he has to consider what the neighbors could reasonably expect.

MR. KITE alleged that O'Bannon Drive consists of walls for a distance of about one mile; therefore, the front yards of residents would not be impacted by the facility. Along Lisa Lane, there are about two houses between the subject property and the nearby school. COUNCILMAN WOLFSON regarded the proposed use as having a significant, distressing impact on the neighborhood and did not feel it belongs in a residential neighborhood. He added that he received about 25 opposition postcards.

MAYOR GOODMAN declared the Public Hearing closed for Items 116-118.